



General Assembly

February Session, 2014

Raised Bill No. 306

LCO No. 1877



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT ALLOCATING FUNDING FOR THE PROVISION OF POTABLE WATER TO CERTAIN COMMUNITIES AND REAUTHORIZING THE COMMISSIONER OF ENERGY AND ENVIRONMENTAL PROTECTION TO PROVIDE POTABLE WATER TO COMMUNITIES UNDER CERTAIN CIRCUMSTANCES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (*Effective July 1, 2014*) (a) For the purposes described in
2 subsection (b) of this section, the State Bond Commission shall have
3 the power from time to time to authorize the issuance of bonds of the
4 state in one or more series and in principal amounts not exceeding in
5 the aggregate two million dollars.
- 6 (b) The proceeds of the sale of said bonds, to the extent of the
7 amount stated in subsection (a) of this section, shall be used by the
8 Department of Energy and Environmental Protection for the purpose
9 of funding a new water main in the Lyman Drive area of Torrington in
10 order to provide residents of said area with potable drinking water.
- 11 (c) All provisions of section 3-20 of the general statutes, or the
12 exercise of any right or power granted thereby, which are not

13 inconsistent with the provisions of this section are hereby adopted and
14 shall apply to all bonds authorized by the State Bond Commission
15 pursuant to this section, and temporary notes in anticipation of the
16 money to be derived from the sale of any such bonds so authorized
17 may be issued in accordance with said section 3-20 and from time to
18 time renewed. Such bonds shall mature at such time or times not
19 exceeding twenty years from their respective dates as may be provided
20 in or pursuant to the resolution or resolutions of the State Bond
21 Commission authorizing such bonds. None of said bonds shall be
22 authorized except upon a finding by the State Bond Commission that
23 there has been filed with it a request for such authorization which is
24 signed by or on behalf of the Secretary of the Office of Policy and
25 Management and states such terms and conditions as said commission,
26 in its discretion, may require. Said bonds issued pursuant to this
27 section shall be general obligations of the state and the full faith and
28 credit of the state of Connecticut are pledged for the payment of the
29 principal of and interest on said bonds as the same become due, and
30 accordingly and as part of the contract of the state with the holders of
31 said bonds, appropriation of all amounts necessary for punctual
32 payment of such principal and interest is hereby made, and the State
33 Treasurer shall pay such principal and interest as the same become
34 due.

35 Sec. 2. Subdivision (1) of subsection (a) of section 22a-471 of the 2014
36 supplement to the general statutes is repealed and the following is
37 substituted in lieu thereof (*Effective July 1, 2014*):

38 (a) (1) If the Commissioner of Energy and Environmental Protection
39 determines that pollution of the groundwaters has occurred or can
40 reasonably be expected to occur and the Commissioner of Public
41 Health determines that the extent of pollution creates or can
42 reasonably be expected to create an unacceptable risk of injury to the
43 health or safety of persons using such groundwaters as a public or
44 private source of water for drinking or other personal or domestic
45 uses, the Commissioner of Energy and Environmental Protection shall,

46 within available appropriations, arrange for the short-term provision
47 of potable drinking water to those residential buildings and
48 elementary and secondary schools affected by such pollution until
49 either said commissioner issues an order pursuant to this section
50 requiring the provision of such short-term supply and the recipient
51 complies with such order or a long-term supply of potable drinking
52 water has been provided, whichever is earlier. The commissioner may
53 issue an order to the person or municipality responsible for such
54 pollution requiring that potable drinking water be provided to all
55 persons affected by such pollution. In determining if pollution creates
56 an unacceptable risk of injury, the Commissioner of Public Health shall
57 balance all relevant and substantive facts and inferences and shall not
58 be limited to a consideration of available statistical analysis but shall
59 consider all of the evidence presented and any factor related to human
60 health risks. If the Commissioner of Energy and Environmental
61 Protection finds that more than one person or municipality is
62 responsible for such pollution, the commissioner shall attempt to
63 apportion responsibility if the commissioner determines that
64 apportionment is appropriate. If the commissioner does not apportion
65 responsibility, all persons and municipalities responsible for the
66 pollution of the groundwaters shall be jointly and severally
67 responsible for the providing of potable drinking water to persons
68 affected by such pollution. If the commissioner determines that the
69 state or an agency or department of the state is responsible in whole or
70 in part for the pollution of the groundwaters, such agency or
71 department shall prepare or arrange for the preparation of an
72 engineering report and shall provide or arrange for the provision of a
73 long-term potable drinking water supply. If the commissioner is
74 unable to determine the person or municipality responsible or if the
75 commissioner determines that the responsible persons have no assets
76 other than land, buildings, business machinery or livestock and are
77 unable to secure a loan at a reasonable rate of interest to provide
78 potable drinking water, the commissioner may prepare or arrange for
79 the preparation of an engineering report and provide or arrange for

80 the provision of a long-term potable drinking water supply or the
81 commissioner may issue an order to the municipality wherein
82 groundwaters unusable for potable drinking water are located
83 requiring that short-term provision of potable drinking water be made
84 to those existing residential buildings and elementary and secondary
85 schools affected by such pollution and that long-term provision of
86 potable drinking water be made to all persons affected by such
87 pollution. For purposes of this section, "residential building" means
88 any house, apartment, trailer, mobile manufactured home or other
89 structure occupied by individuals as a dwelling, except a non-owner-
90 occupied hotel or motel or a correctional institution.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	New section
Sec. 2	<i>July 1, 2014</i>	22a-471(a)(1)

Section 1	<i>July 1, 2014</i>	New section
Sec. 2	<i>July 1, 2014</i>	22a-471(a)(1)

Statement of Purpose:

To authorize the issuance of bonds for the purpose of installing a new water main in a Superfund affected area of Torrington in order provide citizens in that area with potable drinking water and to reinstitute the authority of the Commissioner of Energy and Environmental Protection to provide potable drinking water to citizens under certain conditions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]